

***VIA FACSIMILE TRANSMISSION - Official
To the USPTO at Fax Number (703) 872-9306
Application No. 09/706,592
June 17, 2004***

REMARKS

As explained in Applicant's Amendment and Response to Office Action sent June 9, 2004, Brigida 5,535,242 relates to sending information over a wire link between serial port 34 and modem 36 both of which may be part of the equipment of the portable computer as indicated by the dash line rectangle 12 in Fig. 2. As shown in Fig. 3, the modem 36/ cellular telephone 38 equipment of the portable computer 12 has a command processor 50 for sending requested status information via the communication port 52 to the data processing system – e.g. processor 30, Fig. 2, of the portable computer 12, Fig. 1, via serial port 34, Fig. 2. As described at col. 5, beginning at line 9, control logic 60, Fig. 3, upon detection of an escape character (as apparently shown at 74, 78, 80 in Fig. 4), causes the characters following the escape character (which are apparently a standard modem command) to be sent to the command processor 50, which then sends a response with the requested data via communication port 52, Fig. 3, to the data processing system 12. Applicant understands Brigida, col. 5, lines 33-41, to mean that Brigida teaches the use of “commands in the command set utilized for a typical modem”, and teaches that the standard commands are to have their standard meaning.

Brigida is concerned with gathering status information while the modem 36, Fig. 2, is in data transfer mode, without the user having to toggle the “modem between the data transfer mode and the command mode” (Brigida, col. 7, lines 33-39). Thus Brigida has no bearing on wireless communication concerning the initial establishment of a radio network as recited in clauses (a) and (b) of new claim 16.

In Koscal 6,327,476, the commands are designated “extended” modem commands (col. 38, line 22, and col. 39, lines 7,8 and 9). The information concerning number of raw frames per burst which is associated with these commands is not foreign to the commands, but is the information normally associated with the commands. Koscal thus teaches away from the new claims as now presented.

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In summary, Brigida and Koscal have no bearing on use of a standard modem command format in wireless communication concerning the initial establishment of a radio network where the information appended to the standard modem command, (e.g. "Network ID", per section 1.1.1.1.2 of Appendix A, now inserted at page 9 of the present specification), is substituted "for modem information normally associated with the standard modem command in said standard modem command format" (e.g. number to be dialed as a telephone number per page 7, last three lines, and page 8, lines 1-6, of the present specification), as recited in clauses (a) and (b) of new claim 16, taken in the context of the entire claim. Since the individual references lack relevance, combinations of Brigida and Koscal cannot be relevant to new claim 16 either.

With respect to claims 17 and 18, the references completely fail to disclose the relationships of clauses (a) and (c) of claim 17, or of clauses (a) and (b) of claim 18, in the context of the totality of these respective claims.

Claims 19-33 are directed for example to specific features of the exemplary system of Appendix A which has now been inserted at page 9 of the specification without any material change. No new matter has been introduced. Claims 19-33 are completely distinct from the teachings of the references, when the respective claims are considered as a whole.

With respect to claims 34 and 35, the references completely fail to disclose the relationships of clauses (a), (b) and (c) of claim 34, or of clauses (a) and (b) of claim 35, in the context of the totality of these respective claims.

No Claim Fee for Extra Claims is Believed to be Due

Applicant has paid the fee for five independent claims over three, and eight independent claims are presented herewith, along with a total of twenty claims, so that no

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further claim fees are believed to be due. The Patent and Trademark Office is hereby authorized to charge the cost of any claim fees that may be required to deposit account 14-1190.

GENERAL AUTHORIZATION UNDER 37 CFR 1.136(a)(3)

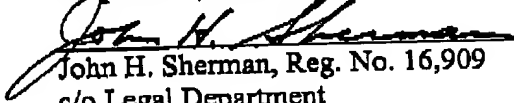
The Patent and Trademark Office is hereby authorized to treat this or any future reply, requiring a petition for an extension of time, as incorporating a petition for extension of time for the appropriate length of time.

The Patent and Trademark Office is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 to deposit account 14-1190.

CONCLUSION

An earnest effort has been made to fully respond to the Official Action, and a favorable consideration and allowance of new claims 16-35 as now presented is respectfully solicited.

Respectfully submitted,


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